

AMENDED

City Hall
80 Broad Street
January 9, 2018
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Wagner

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Certification of Election Results and Swearing In for Even-Numbered City Councilmember Districts
2. Recognition of Retiring Councilmembers
3. Recognition of the 2017 Mayor Pro Tem
4. 2018 City Council Committees and Mayor Pro Tem Appointments (***To be placed on Councilmembers' desks***)
5. Proclamation recognizing Immaculee Ilibagiza Hope and Healing Day in the City of Charleston

E. Public Hearings

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. December 11, 2017
2. December 19, 2017 (*Deferred*)

H. Citizens Participation Period

I. Petitions and Communications:

- a. Discussion and/or approval of language for the John C. Calhoun monument
- b. **A Resolution authorizing the Participation by the City of Charleston in Federal Court Litigation by the South Carolina Environmental Law Project to Challenge**

the Permitting by the Federal Government of Seismic Testing and Drilling in Atlantic Coastal Waters, including Waters Off Charleston County and the South Carolina Coast

J. Council Committee Reports:

1. Committee on Traffic and Transportation: (Meeting was held Tuesday, January 9, 2018 at 4:00 p.m.)

Application for Original Certificate of Public Convenience and Necessity:

- Atlantic Coastal Cab, LLC (Taxi)
- In Transit, LLC (Taxi)

2. Committee on Ways and Means:

(Bids and Purchases

(Mayor's Office for Children, Youth and Families: Approval to accept a grant award in the amount of \$1,000 from Youth Service America to engage 500 youth throughout the Charleston Community in service-learning, community service and volunteerism in honor of Global Youth Service Day. No City match is required.

(Parks: Approval and acceptance of the Keep South Carolina Beautiful 2018 Palmetto Pride Grant award in the amount of \$8,000 for use in litter cleanup efforts, education programming, and litter awareness campaigns in the City of Charleston. No City match is required.

(Consider the following annexation:

- Property located on South Gevert Drive (TMS# 343-03-00-270) 0.24 acre, James Island (District 11). The property is owned by Union Investments LLC.

Give first reading to the following bill coming from Ways and Means:

An ordinance to provide for the annexation of property known as Property located on South Gevert Drive (0.24 acre) (TMS# 343-03-00-270), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Union Investments LLC.

K. Bills up for Second Reading:

1. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 10 Society Street and two vacant parcels on Society Street (Peninsula) (0.62 acre) (TMS #458-01-04-002, 458-01-04-004 and 458-01-04-021) (Council District 1), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Leonard Storage Co, Inc and John T. Leonard, Inc.*

2. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the*

Zone Map, which is a part thereof, so that 32 Laurens Street and a vacant parcel on Laurens Street (Peninsula) (1.32 acres) (TMS #458-01-04-003 and 458-01-02-017) (Council District 1), be rezoned from General Business (GB) and Light Industrial (LI) classifications to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Roy F. Cole, Jr. et al.

3. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1849 Westfield Road (West Ashley) (0.49 acre) (TMS #350-10-00-124) (Council District 5), annexed into the City of Charleston November 28, 2017 (#2017-143), be zoned Single-Family Residential (SR-1) classification. The property is owned by Ann and Seth Bomgren.*
4. *An ordinance authorizing the Mayor to execute on behalf of the City a Quitclaim Deed to the Commissioners of Public Works of the City of Charleston pertaining to that certain property designated as "REVERTER PARCEL AS DEFINED BY C,H,I,J,D,C 0.164 ACRES" and shown as contained between the lines running between the points designated C, H, I, J, D and C on a plat entitled "PLAT SHOWING THE PROPERTY LINE ADJUSTMENT TMS PARCEL 459-06-01-072 & 459-06-01-071 AND NEW REVERTER PARCEL GRACE BRIDGE STREET & MORRISON DRIVE CITY OF CHARLESTON CHARLESTON COUNTY, S.C." by Lewis Smith Moore, p.l.s. no. 21621, dated February 9, 2017, revised October 23, 2017 of record in the RMC Office for Charleston County, South Carolina and also that certain property contained between the lines running between the points designated s, c, d, e and s on the aforementioned plat.*
5. *An ordinance authorizing the Mayor to execute on behalf of the City a First Amendment to Lease Agreement pertaining to the Lease Agreement between the City and the Charleston Digital Corridor Foundation of property located at 999 Morrison Drive.*
6. *An ordinance to provide for the annexation of property known as 1 Riverdale Drive (0.26 acre) (TMS# 418-14-00-080), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Maho Holdings LLC.*
7. *An ordinance to provide for the annexation of property known as Oakville Plantation Road (approximately 18.61 acres) (TMS# 317-00-00-007), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Keith W. Lackey et al. (DEFERRED)*
8. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by revising Section 54-220 (B) (1) (E) (15) pertaining to limits on the number of rooms in facilities. (DEFERRED FOR PUBLIC HEARING)*
9. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 221 Spring Street, 194 Cannon Street and*

- adjacent zoned right-of-way (Peninsula) (approximately 2.379 acres) (TMS #460-10-04-011, 460-10-04-013) (Council District 6), be rezoned so as to be included in the Accommodations Overlay (A) classification designated as "A-7": 175 room maximum. (DEFERRED FOR PUBLIC HEARING)*
10. *An ordinance to amend Ordinance No. 2017-083, establishing a Temporary Moratorium on the acceptance or processing of applications pertaining to properties on James Island located in non-residentially zoned districts that exceed 4 units or 25,000 square feet, so as to extend the expiration date of the Temporary Moratorium until December 31, 2017. (DEFERRED FOR PUBLIC HEARING)*
 11. *An ordinance to amend Ordinance No. 2017-060 that established a Temporary Moratorium on the acceptance or processing of applications for new construction on properties located in the 100 year floodplain within the Church Creek Drainage Basin for an additional period of six months. (DEFERRED FOR PUBLIC HEARING)*
 12. *An ordinance to provide for the annexation of property known as property on Bees Ferry Road (approximately 17.13 acres) (a portion of TMS# 286-00-00-040), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Julia E Bradham, Margaret Bradham Thornton and John M. Bradham. (DEFERRED)*
 13. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Bees Ferry Road (West Ashley) (approximately 17.13 acres) (a portion of TMS #286-00-00-040) (Council District 5), be zoned Limited Business (LB) classification. The property is owned by Julia E. Bradham et al. (DEFERRED FOR PUBLIC HEARING)*
 14. *An ordinance to provide for the annexation of property known as 251 Louise P. Gardner Street (0.10 acre) (TMS# 343-03-00-246), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Christopher DiMattia. (DEFERRED)*
 15. *An ordinance to provide for the annexation of property known as property on Folly Road and Grimball Road Extension (approximately 10.0 acres) (TMS# 427-00-00-020, 039, 106, 110, 111), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 6. The property is owned by the Estate of Willie Moultrie et al. (DEFERRED)*
 16. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Folly Road and Grimball Road Extension (James Island) (approximately 10.0 acres) (TMS #427-00-00-020, 039, 106, 110 and 111) (Council District 6), be zoned Limited Business (LB) classification and Folly Road (FR) Overlay Zone classification. The property is owned by Willie B. Moultrie Trustee. (DEFERRED FOR PUBLIC HEARING)*

17. *An ordinance to amend Section 54- 943(c) of the Code of the City of Charleston (Zoning Ordinance) to modify the vote required of City Council in the event a matter is disapproved by the Planning Commission or when a petition in opposition to a matter signed by owners of twenty percent of the area of lots subject to the matter, or of those immediately adjacent on the sides and rear or directly opposite thereto is presented to council to a simple majority of a quorum of the City Council (**AS AMENDED**). (DEFERRED)*
18. *An ordinance authorizing the Mayor to execute on behalf of the City a First Amendment to the Development Agreement between the City and Ashley River Investors, LLC, St. Matthews Lutheran Church and the Bishop of Charleston pertaining to lands located in upper peninsula area of the City comprising approximately 326 acres and bearing Charleston County Tax Map Numbers 464-00-00-012, 464-00-00-029, 466-00-00-019, 466-00-00-028, 466-00-00-029, 466-00-00-030, 466-00-00-031, 466-00-00-035, 466-00-00-036, 466-00-00-049, 464-00-00-025, 464-00-00-026, 464-00-00-028, 464-00-00-039, 464-00-00-040, 464-13-00-013, 464-13-00-012, 464-13-00-011, 464-00-00-008, 464-13-00-023, 466-00-00-016, 466-00-00-017, 466-00-00-018, 466-00-00-032, 466-00-00-033, 466-00-00-034, 466-00-00-037, 466-00-00-044, 466-00-00-046, 466-00-00-051, 460-00-00-002, 466-00-00-021, 464-14-00-136 and 464-00-00-019. (DEFERRED FOR PUBLIC HEARING)*
19. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1 Riverdale Drive (West Ashley) (0.26 acre) (TMS #418-14-00-080) (Council District 11), be zoned Single-Family Residential (SR-1) classification. The property is owned by Maho Holdings LLC. (DEFERRED FOR PUBLIC HEARING)*
20. *An ordinance authorizing the Mayor to execute on behalf of the City a First Amendment to the Public Infrastructure Improvements Agreement with Ashley River Investors, LLC pertaining to the construction and funding of public infrastructure improvements in the Charleston Neck Redevelopment Project area with Tax Increment Fund Bond Proceeds and Tax Increment Fund Revenues. (DEFERRED)*

L. Bills up for First Reading

1. *An ordinance authorizing the Mayor to execute on behalf of the City a Lease between the City, as Landlord, and Emanuel African American M.E. Church of Charleston, as tenant, pertaining to property owned by the City located at 113 Calhoun Street (DEFERRED)*
2. *An ordinance authorizing the Mayor to execute on behalf of the City Quit-Claim Deeds, approved as to form by the Office of Corporation Counsel, to the owners of those properties abutting each side of Hayne Street, running from Church Street to Anson Street, conveying to such owners one-half of the width of Hayne Street as said street abuts the respective owner's property, subject to any and all easements or other*

matters of record. (*DEFERRED*)

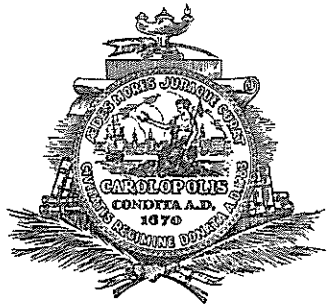
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Oakville Plantation Road (Johns Island) (approximately 89.0 acres) (portions of TMS# 317-00-00-089 and 317-00-00-011) (Council District 5), be rezoned from Light Industrial (LI) classification to Rural Residential (RR-1) classification. The property is owned by Keith W. Lackey et al. (*DEFERRED*)
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Oakville Plantation Road (Johns Island) (approximately 18.61 acres) (TMS #317-00-00-007) (Council District 5), be zoned Rural Residential and Conservation (RR-1 and C) classifications. The property is owned by Keith W. Lackey et al. (*DEFERRED*)
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 3265 Maybank Highway (Johns Island) (1.40 acres) (TMS #279-00-00-205) (Council District 5), be rezoned from Commercial Transitional (CT) classification to General Office (GO) classification. The property is owned by George Gratzick. (*DEFERRED*)
6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that West Ashley Circle at Glenn McConnell Parkway (West Ashley) (approximately 21.76 acres) (a portion of TMS# 301-00-00-027) (Council District 5), be rezoned from Gathering Place (GP) classification to General Business (GB) classification. The property is owned by Whitfield Construction Company. (*DEFERRED*)
7. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Clements Ferry Road at I-526 (Cainhoy) (approximately 67.98 acres) (TMS #271-00-02-024, 271-00-02-025, 271-00-02-026 and 271-00-02-069) (Council District 1), be rezoned from Gathering Place (GP) classification to General Business (GB) classification. The property is owned by Hotel Holdings LLC, SCT Properties LLC and Joka III LLC. (*DEFERRED*)

M. Miscellaneous Business:

1. The next regular meeting of City Council will be Tuesday, January 23, 2018 at 5:00 p.m. at City Hall, 80 Broad Street.
2. The State of the City Address will be Tuesday, January 23, 2018 at 7:00 p.m. at City Hall, 80 Broad Street.

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389

or email to schumacherj@charleston-sc.gov three business days prior to the meeting.



PROCLAMATION

WHEREAS, the City of Charleston wishes to recognize Immaculée Ilibagiza, a Rwandan genocide survivor, author, and peace advocate who will appear at Bishop England High School on February 2, 2018 at 7:00 p.m.; and

WHEREAS, Immaculée Ilibagiza was born and raised in a small village in Rwanda, Africa, where she enjoyed a peaceful childhood with her loving parents and three brothers. As education was important to her family, she did well in school and went to the National University of Rwanda to study electrical and mechanical engineering; and

WHEREAS, in April of 1994, the Rwandan president was assassinated, bringing upheaval and war to the country. Not even small, rural communities like Immaculée's were spared from the slaughtering of nearly one million Tutsi men, women, and children—she lost her entire family except for one of her brothers at the hands of Hutu marauders; and

WHEREAS, Immaculée Ilibagiza found shelter at a local pastor's home, where she and seven other women hid from the deadly rebel mob in a 3-by-4-foot bathroom for 91 days. During those 91 days of unimaginable suffering, she found her faith, taught herself English, and most incredibly, committed herself to a life of peace, hope, and forgiveness; and

WHEREAS, after the genocide, Immaculée Ilibagiza came face-to-face with the man who killed her mother and one of her brothers. Though she had endured months of physical, mental, and spiritual suffering, she was still able to offer the unthinkable, telling the man, "I forgive you." This same sentiment was expressed many years later in the Charleston community, when our nine Mother Emanuel families offered the same words to the man who killed their family members; and

WHEREAS, in 1998, Immaculée Ilibagiza emigrated from Rwanda to the United States, continuing to work for peace through the United Nations. During that time, she shared her story with co-workers and friends who were so impacted by her testimony that they insisted she write it down. Her first book was released in March of 2006 and quickly became a New York Times bestseller; and

WHEREAS, Immaculée Ilibagiza has worked for the United Nations, received five honorary doctoral degrees, written seven books about her faith and life journey, and is the recipient of the Mahatma Ghandi International Award for Reconciliation and Peace; and

WHEREAS, I encourage all citizens of the Holy City to celebrate reconciliation, healing, and respectful dialogue while focusing on forgiveness and love in 2018.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, on behalf of City Council and all of Charleston, do hereby proclaim Friday, February 2, 2018 to be:

IMMACULÉE ILIBAGIZA HOPE AND HEALING INITIATIVE DAY

IN WITNESS WHEREOF, I do hereby set my hand and cause the seal of Charleston to be affixed, this 9th day of January in the year of 2018.



John J. Tecklenburg, Mayor

Calhoun Dec. 6, 2017 revision

1 This monument to John C. Calhoun (1782-1850), erected in 1896, was the
2 culmination of efforts begun in 1858 to commemorate his career. It was erected
3 at a time, after Reconstruction, when most white South Carolinians believed in
4 white supremacy, and the state enacted legislation establishing racial
5 segregation. These ideas are now universally condemned.

6

7 Calhoun served as Vice-President of the United States under two presidents, as
8 U.S. Secretary of War, as U.S. Secretary of State, as a U.S. Senator from South
9 Carolina and as a member of the U.S. House of Representatives. A political
10 theorist, he was the author of two important works on the U.S. Constitution and
11 the Federal Government.

12

13 A member of the Senate's "Great Triumvirate," which included Daniel Webster of
14 Massachusetts and Henry Clay of Kentucky, Calhoun championed states' rights
15 and nullification, the right of an individual state to invalidate a federal law which
16 it viewed as unconstitutional.

17

18 Unlike many of the founding fathers, who viewed the enslavement of Africans as
19 "a necessary evil" possibly to be overcome, Calhoun defended the institution of
20 race-based slavery as a "positive good."

21

22 The statue remains standing today as a reminder that many South Carolinians
23 once viewed Calhoun as worthy of memorialization even though his political
24 positions included his support of race-based slavery, an institution repugnant to
25 the core ideas and values of the United States of America.

26

27 Historic preservation, to which Charleston is dedicated, includes this monument
28 as a lesson to future generations of the importance of historical context when
29 examining individuals and events in our state's past.

30

31



RESOLUTION

Authorizing the Participation by the City of Charleston in Federal Court Litigation by the South Carolina Environmental Law Project to Challenge the Permitting by the Federal Government of Seismic Testing and Drilling in Atlantic Coastal Waters, including Waters Off Charleston County and the South Carolina Coast

WHEREAS, heretofore the Federal Government has removed the Atlantic Outer Continental Shelf (OCS) from any plans for offshore oil drilling, and has denied drilling permit applications for seismic air gun survey testing, citing environmental harms and coastal community concerns; and

WHEREAS, seismic testing companies have challenged the permit denials to the Department of the Interior (DOI) and DOI has remanded the permit denials to the Bureau of Ocean & Energy Management (BOEM); and

WHEREAS, the effect of the remand revives the possibility of offshore drilling in the Atlantic Outer Continental Shelf; and

WHEREAS, on Thursday, January 4, 2018, the Federal Government published a proposal to permit drilling in most U.S. continental-shelf waters, including the Atlantic OCS, the effect of which would open the waters off of South Carolina, and the City and County of Charleston, to seismic air gun surveying, and oil and gas exploration; and

WHEREAS, the South Carolina Environmental Law Project (SCELP) has proposed to litigate the current actions of the Federal Government, to include the granting of permits in waters off South Carolina for seismic air gun surveying and oil and gas exploration on the grounds of environmental harm, economic damage and community opposition; and

WHEREAS, SCELP has enlisted the involvement and support of coastal municipalities to join the litigation under an arrangement whereby SCELP and its attorneys would represent the municipalities in the litigation without any expense, attorneys' fees, or other financial contribution or commitment by the municipalities; and

WHEREAS, City Council deems it is in the best interests of the City and its citizens for the City to participate in this litigation effort by the SCELP in order to protect the pristine Atlantic coastline and the economic advantages that City and the State of South Carolina derive from a coastline free from environmental degradation.

NOW THEREFORE, be it:

RESOLVED by the Mayor and Councilmembers of Charleston, in City Council Assembled that the City join in the SCEL P litigation challenging the granting of permits for seismic air gun surveying and other oil and gas exploration in the Atlantic OCS and other environmentally protected areas, such participation being conditioned on no expense to the City, to include any attorneys' fees or other financial involvement or commitment by the City; and it is further RESOLVED that the Mayor or Corporation Counsel be authorized to execute on behalf of the City such documents as may be required to allow the City to participate as a party in the SCEL P litigation under the terms and conditions as set forth herein.

DONE this _____ day of January, 2018.

John J. Tecklenburg, Mayor

Vanessa Turner Maybank, Clerk of Council